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# Notice of Consent Decrees Under the Comprehensive Environmental Response, Compensation, and Liability Act and the Resource Conservation and Recovery Act

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DEPARTMENT OF JUSTICE

158165



Notice of Consent Decrees Under the Comprehensive Environmental Response, Compensation, and Liability Act and the Resource Conservation and Recovery Act

Notice is hereby given that a consent decree in United States v. Bell Petroleum, et al., Civil Action No. MO-88-CA-05 (W.D. Tex.) was lodged with the United States District Court for the Western District of Texas on March 6, 1998.

This action was filed in 1988 against Bell Petroleum Company and others to recover costs the United States had incurred and was continuing to incur in connection with the Odessa Chromium I Site in Odessa, Texas. At the time of settlement, the case was on its third appeal to the United States Court of Appeals for the Fifth Circuit.

The United States previously settled with all defendants except **Sequa Corporation** and **Chromalloy American Corporation**, a subsidiary of Sequa, recovering in excess of \$1 million through those settlements. The present settlement resolves the United States' pending claims and certain future claims against Sequa and Chromalloy.

Under the Consent Decree, **Sequa Corporation** and **Chromalloy American Corporation** will pay the United States \$2.2 million in cash. Fifty percent of the payment will be used to complete ongoing remedial

actions at the Odessa I Site. The other fifty percent will reimburse the United States for past costs incurred by the United States in connection with the Odessa I Site. In exchange for these payments, the United States will provide a covenant not to sue to Sequa and Chromalloy under sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Recovery Act ('`CERCLA''), 42 U.S.C. 9606 and 9607, and Section 7003 of the Resource Conservation and Recovery Act ('`RCRA''), 42 U.S.C. 6973, relating to the Odessa I Site.

The Department of Justice will receive written comments relating to the proposed Consent Decree for thirty (30) days from the date of publication of this notice. Please address comments to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044 and refer to United States v. Bell Petroleum et al., D.J. Ref. No. 90-11-3-229A.

The Consent Decree may be examined at the Region 6 Office of EPA, 1445 Ross Avenue, Dallas, Texas, 75202, and at the Office of the United States Attorney, 400 West Illinois, Suite 1200, Midland, Texas.

A copy of the Consent Decree (if requested) may also be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. In requesting copies, please enclose a check in the amount of \$5.50 (25 cents per page reproduction cost) payable to the ``Consent Decree Library.''

Joel Gross,  
Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 98-6843 Filed 3-16-98; 8:45 am]

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